

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 9<sup>th</sup> day of  
November, 2016.

|                                 |   |                       |
|---------------------------------|---|-----------------------|
| Midwest Energy Consumers Group, | ) |                       |
|                                 | ) |                       |
| Complainant,                    | ) |                       |
|                                 | ) |                       |
| v.                              | ) | File No. EC-2017-0106 |
|                                 | ) |                       |
| Westar Energy, Inc.             | ) |                       |
|                                 | ) |                       |
| Respondent.                     | ) |                       |

**ORDER GRANTING INTERVENTION**

Issue Date: November 9, 2016

Effective Date: November 9, 2016

The complaint charges that Westar Energy, Inc. ("Westar Energy") violated Section 393.130.1, RSMo 2000. That statute requires an electrical corporation, disposing of or consolidating its works or system, to seek prior authorization from the Commission. The complaint alleges that Westar Energy failed to comply with that statute with regards to the impending acquisition of Westar Energy by Great Plains Energy, Inc..

Consumers Council of Missouri ("Consumers Council") filed a timely application to intervene ("motion").<sup>1</sup> Westar Energy filed a response.<sup>2</sup> The motion and response cite the Commission's regulation on intervention, which includes the following standard:

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<sup>1</sup> Electronic Filing Information System ("EFIS") No. 3 (October 23, 2016) *Application to Intervene by the Consumers Council of Missouri*.

<sup>2</sup> EFIS No. 8 (November 2, 2016) *Westar Energy's Suggestions in Opposition to the Application to Intervene of CCM*.

The commission may grant a motion to intervene . . . if—

(A) The proposed intervenor . . . has an **interest** which is **different** from that of the general public and which may be **adversely affected** by a final order arising from the case; or

(B) Granting the proposed intervention would serve the **public interest**.<sup>3</sup>

Emphasis added.

The motion alleges that Consumers Council educates, advocates for, and empowers residential electric customers.<sup>4</sup> That allegation describes an interest different from the general public. Westar Energy argues that no order could adversely affect that interest, but that conclusion depends on whether the Commission determines its authorization is necessary and what, if any, terms the Commission sets for such authorization. Consumers Council's motion also argues that its intervention on behalf of residential electric customers will enhance a just, reasonable, and transparent review of the merger,<sup>5</sup> which describes a furtherance of the public interest. Therefore, the Commission will grant the motion.

#### **THE COMMISSION ORDERS THAT:**

1. The *Application to Intervene by the Consumers Council of Missouri* is granted.

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<sup>3</sup> 4 CSR 240-2.075.

<sup>4</sup> EFIS No. 3 (October 23, 2016) *Application to Intervene by the Consumers Council of Missouri*, page 1, paragraph 1; page 2, paragraph 3.

<sup>5</sup> EFIS No. 3 (October 23, 2016) *Application to Intervene by the Consumers Council of Missouri*, page 2, paragraph 4.

2. This order shall be effective when issued.

**BY THE COMMISSION**



A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Hall, Chm., Stoll, Kenney, Rupp, and  
Coleman, CC concur.

Daniel Jordan, Senior Regulatory Law Judge,